

**SPINELLI, DONALD & NOTT**

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Attorneys for Defendants County of  
Siskiyou; Jeremiah LaRue and Jesus  
Fernandez, in their official capacities  
as members of the Siskiyou County  
Sheriff's Department and in their individual  
capacities; Brandon Criss, Ed Valenzuela,  
Michael N. Kobseff, Nancy Ogren, and  
Ray A. Haupt, in their official capacities  
as members of the Siskiyou County Board  
of Supervisors and in their individual  
capacities; Edward Kiernan, in his official  
capacity as County Counsel for Siskiyou  
County and in his individual capacity;  
and DOES 1-100

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

Dilevon Lo, Jerry Vang, Nathan Thao, Mao Thao,  
Pao Lee, Antonio Lee, Koua Lee, Nhia Thai Vang,  
Zeng Lee, Der Lee and Khue Cha,

Plaintiffs,

vs.

County of Siskiyou; Jeremiah LaRue and Jesus  
Fernandez, in their official capacities as members  
of the Siskiyou County Sheriff's Department and  
in their individual capacities; and Brandon Criss,  
Ed Valenzuela, Michael N. Kobseff, Nancy  
Ogren, and Ray A. Haupt, in their official  
capacities as members of the Siskiyou County  
Board of Supervisors and in their individual  
capacities; Edward Kiernan, in his official  
capacity as County Counsel for Siskiyou County  
and in his individual capacity; and DOES 1-100,

Defendants.

Case No. 2:21-cv-00999-KJM-DMC

**DEFENDANTS' NOTICE OF MOTION AND  
MOTION FOR JUDGMENT ON THE  
PLEADINGS DISMISSING INDIVIDUAL  
DEFENDANTS AND FOR RULE 11  
SANCTIONS**

Complaint Filed: June 4, 2021

First Amended Complaint Filed: July 15, 2021

**Date: July 29, 2022**

**Time: 10:00 AM**

**Courtroom: 3, 15<sup>th</sup> Floor**

Judge: Hon. Kimberly J. Mueller

**[FEES EXEMPT PURSUANT TO  
GOVERNMENT CODE SECTION 6103]**

1       **NOTICE IS HEREBY GIVEN** that on **July 29, 2022, at 10:00 a.m.**, in the Courtroom of the  
2 Honorable Kimberly J. Mueller, Courtroom 3, 15<sup>th</sup> Floor, located at 501 I Street, Sacramento, California,  
3 95814, Defendants County of Siskiyou; Jeremiah LaRue and Jesus Fernandez, in their official capacities  
4 as members of the Siskiyou County Sheriff's Department and in their individual capacities; Brandon  
5 Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren, and Ray A. Haupt, in their official capacities as  
6 members of the Siskiyou County Board of Supervisors and in their individual capacities; Edward  
7 Kiernan, in his official capacity as County Counsel for Siskiyou County and in his individual capacity,  
8 will and do file a Motion for Judgment on the Pleadings Dismissing the Individual Defendants in their  
9 individual and official capacities, and For Rule 11 Sanctions.

10       This Motion will be based upon this Notice; the Memorandum of Points and Authorities in  
11 support hereof; the Declaration of Jeffrey Chiao, and all records and documents on file herein, and such  
12 other and further evidence or matters as may be presented or offered here, in the reply brief and at the  
13 time of the hearing on this Motion.

14  
15 Dated: June 6, 2022

**SPINELLI, DONALD & NOTT**

16  
17 By: /s/ J. Scott Donald  
18 DOMENIC D. SPINELLI  
19 J. SCOTT DONALD  
20 JEFFREY C. CHIAO  
Attorneys for Defendants  
COUNTY OF SISKIYOU

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23 **CERTIFICATION OF MEET AND CONFER EFFORTS**

24       Counsel for Defendants met and conferred with counsel for Plaintiffs through written  
25 correspondence on October 29, 2021, February 18, 2022, and March 24, 2022; and a telephone  
26 conference on February 17, 2022, and April 4, 2022, regarding the issues raised in this motion. As of the  
27 filing of this motion, the parties had not come to an agreement with respect to the issues raised in this  
28 motion.

1 Dated: June 6, 2022

**SPINELLI, DONALD & NOTT**

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3  
4 By: /s/ J. Scott Donald

DOMENIC D. SPINELLI

J. SCOTT DONALD

JEFFREY C. CHIAO

Attorneys for Defendants

COUNTY OF SISKIYOU